

# United States Patent Application DECLARATION UNDER 37 C.F.R. § 1.63

COPY OF PAPERS ORIGINALLY FILED

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK

The specification of	which
----------------------	-------

- a. is attached hereto.
- b.  $\boxtimes$  was filed on April 6, 2001 as Application Serial No. 09/828,406, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a.  $\boxtimes$  no such applications have been filed.
- b. such applications have been filed as follows:

	FOREIGN APPLICA	TION(S), IF ANY, CLAIMING PRIORI	TY UNDER 35 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AL	L FOREIGN APPLICAT	TION(S), IF ANY, FILED BEFORE THE	E PRIORITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

U.S. Parent Application	PCT Parent Application	Parent Filing Date	Parent Patent Number
Number	Number		
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster
Foley & Lardner
2029 Century Park East - Suite 3500
Los Angeles, CA 90067-3021

2	Full Name Of Inventor	Family Name Sherr	First Given Name Scott	Second Given Name Jeffrey	
0	Residence & Citizenship	City Brentwood	State or Foreign Country California	Country of Citizenship U.S.	
1	Post Office Address	Post Office Address 11728 Defothy Street #303 -	City Brentwood	State & Zip Code/Country California 90049/USA	
Sig	nature of Inventor			Date: // 0/0/	
2	Full Name Of Inventor	Family Name Rubenstein	First Given Name Ira	Second Given Name Steven	
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.	
2	Post Office Post Office Address City		City Los Angeles	State & Zip Code/Country California 90049/USA	
Sig	nature of Invento	r 202:		Date:	
2	Full Name Of Inventor	Family Name Landau	First Given Name Yaır	Second Given Name	
0	Residence & Citizenship			Country of Citizenship U.S.	
3	Post Office Address	Post Office Address 1427 Chastain Parkway West	City Pacific Palisades	State & Zip Code/Country California 90272/USA	
Sig	mature of Invento	г 203:		Date:	

	OIP	B AND ADD		
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor I	ADM	Andrew	C.
0	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizenship U.S.
4	Post Office Address	Post Office Address 2166 Broadway #15E COPY OF PAPERS ORIGINALLY FILED	City New York	State & Zip Code/Country New York 10024/USA
Si	gnature of Invento	or 204:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Lakamp	Brian	David
0	Residence	City	State or Foreign Country California	Country of Citizenship U.S.
5	& Citizenship Post Office	Malibu Post Office Address	City	State & Zip
3	Address	18131 Kingsport Drive	Malibu	Code/Country California 90265/USA
Si	gnature of Invento	or 205:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Spaulding	Bryan	Gentry
0	Residence	City	State or Foreign Country	Country of Citizenship U.S.
	& Citizenship Post Office	San Francisco Post Office Address	California City	State & Zip
6	Address 55 Santa Clara Avenue		San Francisco	Code/Country California 94127/USA
Sig	gnature of Invento	r 206:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Evans	Charles	Jonathan
0	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizenship U.S.
7		Post Office Address	City	State & Zip
	Post Office Post Office Address  Address 55 West 14th Street, Apt. 2E		New York	Code/Country New York 10011/USA
				New Tolk Tooliy Cox
Si	gnature of Invento	or 207:		Date:
Si	gnature of Invento	or 207:	First Given Name	Date: Second Given Name
Si;			First Given Name Everton	
	Full Name Of Inventor Residence	Family Name Schnabel City	Everton  State or Foreign Country	Second Given Name Anthony  Country of Citizenship
2	Full Name Of Inventor Residence & Citizenship	Family Name Schnabel  City Los Angeles	State or Foreign Country California	Second Given Name Anthony  Country of Citizenship U.S
2	Full Name Of Inventor Residence	Family Name Schnabel City	Everton  State or Foreign Country	Second Given Name Anthony  Country of Citizenship

	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Ochs	Ochs			-
			<del></del>			<b></b>
0	Residence	City		State or Foreign Country California		Country of Citizenship
	& Citizenship	Los Angeles				German
9	Post Office	Post Office Address		City		State & Zip
	Address	818 Parkman Avenue		Los Angeles		Code/Country California 90026/USA
Si	gnature of Invento	or 209:		· <del>L</del>		Date:
-	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Barnett		Jeremy		Eli
1	Residence	City	······································	State or Foreign Country		Country of Citizenship
	& Citizenship	Pacific Palisades		Califorma		U.S.
0	Post Office	Post Office Address		City		State & Zip
	Address	563 Via de la Paz		Pacific Palisades		Code/Country
						California 90272/USA
Sig	mature of Invento	r 210:				Date:
٦	Full Name	Family Name		First Given Name	***	Second Given Name
2	Of Inventor	Palmer		Seth		David
1	Residence	City		State or Foreign Country		Country of Citizenship
-	& Citizenship	New York		New York		U.S.
1	Post Office	Post Office Address		City		State & Zip Code/Country
	Address 33 Gold Street, Apt. 509		New York		New York 10038	
Sig	nature of Invento	r 211:		L	· · · · · · · · · · · · · · · · · · ·	Date:
T	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Henderson		Todd		Michael
	Residence	City	· · · · · · · · · · · · · · · · · · ·	State or Foreign Country		Country of Citizenship
	& Citizenship	Pacific Palisades		California		U.S.
2	Post Office	Post Office Address		City		State & Zip
	Address	620 Swarthmore Avenue		Pacific Palisades		Code/Country
- 1						California 90272/USA
	mature of Invento	r 212:				Date:
Sig	mature of invento			t Given Name		ond Given Name
7	Full Name	Family Name	į.			
1		Family Name Chong	Firs Will		W.	
2	Full Name Of Inventor Residence	Chong	Will Stat	e or Foreign Country	Cou	ntry of Citizenship
2	Full Name Of Inventor Residence & Citizenship	City New York	Will Stat New	e or Foreign Country  York	Cou U.S	
Sig 2 1	Full Name Of Inventor Residence	Chong	Will Stat New City	e or Foreign Country  York	Cou U.S Stat	•

2	Full Name Of Inventor	Family Name Forest	First Bruc	Given Name e	Seco	nd Given Name
1	Residence & Citizenship	City Weston	State or Foreign Country Connecticut		Country of Citizenship U.S.	
4	Post Office Address	Post Office Address 10 Spring Valley Road	City Weston		State & Zip Code/Country Connecticut 06883	
Siş	gnature of Invento	r 214:			Date	<b>:</b>
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Koenig		Steven		<b></b>
1	Residence & Citizenship	City Menlo Park		State or Foreign Country California		Country of Citizenship U.S.
5	Post Office Address	Post Office Address 1751 Croner Avenuee		City Menio Park		State & Zip Code/Country California 94025
Sig	Signature of Inventor 215:					Date:



§ 1.56 Durieto disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

COPY OF PAPERS ORIGINALLY FILED

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

# United States Patent Application DECLARATION UNDER 37 C.F.R. § 1.63

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below here to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK

COPY OF PAPERS

OF ELECTRONIC INFORMATION ON A NETWORK  The presidential of which	COPY OF PAPERS ORIGINALLY FILED ave reviewed and for which I			
The specification of which  a.  is attached hereto.  b.  was filed on April 6, 2001 as Application Serial No. 09/828,406, which I have resolicit a United States patent.				
I hereby state that I have reviewed and understand the contents of the above-identified specification claims, as amended by any amendment referred to above.				
I acknowledge the duty to disclose information which is material to the patentability of the accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).	nis application in			

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. \( \) no such applications have been filed.
- b. such applications have been filed as follows:

	FOREIGN APPLICA	TION(S), IF ANY, CLAIMING PRIORI	TY UNDER 35 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AL	L FOREIGN APPLICAT	TON(S), IF ANY, FILED BEFORE THI	E PRIORITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

U.S. Parent Application	PCT Parent Application	Parent Filing Date	Parent Patent Number
Number	Number		,
09/603,805		June 26, 2000	

I hereby claim to benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed States Transfer

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster
Foley & Lardner
2029 Century Park East - Suite 3500
Los Angeles, CA 90067-3021

COPY OF PAPERS ORIGINALLY FILED

2	Full Name Of Inventor	Family Name Sherr	First Given Name Scott	Second Give Jeffrey	n Name
0	Residence	City	State or Foreign Country	Country of C	Citizenship
	& Citizenship	Brentwood	California	U.S.	
1	Post Office	Post Office Address	City	State & Zip	Code/Country
	Address	11728 Dorothy Street, #303	Brentwood	California 90	049/USA
Sig	gnature of Invento	r 201:		Date:	
	Full Name	Family Name	First Given Name	Second Give	n Name
2	Of Inventor	Rubenstein	Ira	Steven	
0	Residence	City	State or Foreign Country	Country of C	Citizenship
	& Citizenship	Los Angeles	California	U.S.	
2	Post Office	Post Office Address	City	State & Zip	Code/Country
	Address	1348 Beckwith Avenue	Los Angeles	California 90	049/USA
Sig	gnature of Invento	r 202:		Date:	lq
	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Landau	Yaır		
0	Residence	City	State or Foreign Country		Country of Citizenship
	& Citizenship	Pacific Palisades	California		U.S.
3	Post Office	Post Office Address	City		State & Zip
	Address	1427 Chastain Parkway West	Pacific Palisades		Code/Country
					California 90272/USA
Sig	gnature of Invento	r 203:			Date:
L					

		JAN 0 9 2002 H		
2	Full Name Of Inventor	Plank D. C. M. C.	First Given Name Andrew	Second Given Name C.
0	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizensh U.S.
4	Post Office Address	Post Office Address 2166 Broadway #15E	City New York	State & Zip Code/Country New York 10024/USA
S	ignature of Invent			Date:
┝	T	COPY OF PAPERS	1	
2	Full Name Of Inventor	Family Name ORIGINALLY FILED  Lakamp	First Given Name Brian	Second Given Name David
0	Residence & Citizenship	City Malibu	State or Foreign Country California	Country of Citizenshi U.S.
5	Post Office Address	Post Office Address 18131 Kingsport Drive	City Malibu	State & Zip Code/Country California 90265/USA
Si	gnature of Invento	or 205:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Spaulding	Bryan	Gentry
0	Residence & Citizenship	City San Francisco	State or Foreign Country California	Country of Citizenship U.S.
6	Post Office Address	Post Office Address 55 Santa Clara Avenue	City San Francisco	State & Zip Code/Country California 94127/USA
Się	mature of Invento	r 206:		Date:
2	Full Name Of Inventor	Family Name Evans	First Given Name Charles	Second Given Name Jonathan
0	Residence & Citizenship	City New York	State or Foreign Country New York	Country of Citizenship U.S.
7	Post Office Address	Post Office Address 55 West 14th Street, Apt. 2E	City New York	State & Zip Code/Country New York 10011/USA
Sig	nature of Inventor	r 207:		Date:
,	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Schnabel	Everton	Anthony
0	Residence	City	State or Foreign Country	Country of Citizenship
٠	& Citizenship	Los Angeles	California	U.S.
8	Post Office Address	Post Office Address 428 N. Laurel Avenue	City Los Angeles	State & Zip Code/Country California 90048/USA
Sig	nature of Inventor	· 208:		Date:

1	Full Name	Family Many				
2	Of Inventor	Family Name Ochs		First Given Name		Second Given Name
~	Of Inventor	OCIIS		Hartmut		-
0	Residence	City		State or Foreign Country	77.50	Country of Citizenship
	& Citizenship	Los Angeles		California		German
9	Post Office	Post Office Address		City		State & Zip
	Address	818 Parkman Avenue		Los Angeles		Code/Country
	<u>L</u>					California 90026/USA
Si	gnature of Invent	or 209:				Date:
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Barnett		Jeremy		Eli
1	Residence	City		State or Foreign Country		Country of Citizenship
	& Citizenship	Pacific Palisades		California		U.S.
0	Post Office	Post Office Address		City		State & Zip
	Address	563 Via de la Paz		Pacific Palisades		Code/Country
						California 90272/USA
Sig	gnature of Invento	т 210:				Date:
T	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Palmer		Seth		David
1	Residence	City		State or Foreign Country		Country of Citizenship
-	& Citizenship	New York		New York	<del> </del>	U.S.
1	Post Office	Post Office Address		City		State & Zip
	Address	33 Gold Street, Apt. 509		New York		Code/Country
- 1		1		i		
Sia	mature of Invento	. 211.		1		New York 10038
Sig	mature of Invento	r 211:		1		Date:
Sig	mature of Invento	r 211:		First Given Name		<del> </del>
Sig				First Given Name Todd		Date:
T	Full Name	Family Name				Date: Second Given Name
2	Full Name Of Inventor	Family Name Henderson		Todd		Date:  Second Given Name Michael
2	Full Name Of Inventor Residence	Family Name Henderson City		Todd State or Foreign Country		Date:  Second Given Name Michael  Country of Citizenship
2	Full Name Of Inventor Residence & Citizenship	Family Name Henderson  City Pacific Palisades		Todd  State or Foreign Country California		Date:  Second Given Name Michael  Country of Citizenship U.S.
2	Full Name Of Inventor  Residence & Citizenship Post Office	Family Name Henderson  City Pacific Palisades  Post Office Address		Todd  State or Foreign Country California City		Date:  Second Given Name Michael  Country of Citizenship U.S.  State & Zip
2   1   2	Full Name Of Inventor  Residence & Citizenship Post Office	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue		Todd  State or Foreign Country California City		Date:  Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country
2 1 2 Sign	Full Name Of Inventor  Residence & Citizenship Post Office Address  mature of Inventor	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	First	Todd  State or Foreign Country California City	Seco	Date:  Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA
2 1 2 Sign	Full Name Of Inventor  Residence & Citizenship Post Office Address	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	First Wills	Todd  State or Foreign Country California City Pacific Palisades  Given Name	Seco. W.	Date:  Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:
2   2   2   Sign	Full Name Of Inventor  Residence & Citizenship Post Office Address  mature of Inventor	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  - 212:	Wills	Todd  State or Foreign Country California City Pacific Palisades  Given Name	W.	Date:  Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:
2   1   2   Sign 2	Full Name Of Inventor  Residence & Citizenship Post Office Address  mature of Inventor  Full Name Of Inventor	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  - 212:  Family Name Chong	Willi	State or Foreign Country California City Pacific Palisades  Given Name am	W.	Date:  Second Given Name Michael  Country of Citizenship U.S. State & Zip Code/Country California 90272/USA Date:  and Given Name
2   1   2   2   2   1   3	Full Name Of Inventor  Residence & Citizenship Post Office Address  mature of Inventor  Full Name Of Inventor  Residence & Citizenship Post Office	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  - 212:  Family Name Chong  City	Willi	State or Foreign Country California City Pacific Palisades  Given Name am	W. Cou	Date:  Second Given Name Michael  Country of Citizenship U.S. State & Zip Code/Country California 90272/USA Date:  and Given Name
2   1   2   2   2   1   3	Full Name Of Inventor  Residence & Citizenship Post Office Address  mature of Inventor  Full Name Of Inventor  Residence & Citizenship	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  - 212:  Family Name Chong  City New York	Wills State New City	State or Foreign Country California City Pacific Palisades  Given Name am	Cou U.S. State	Date:  Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:  and Given Name  ntry of Citizenship

2	Full Name Of Inventor	Family Name Forest	Firs Bruc	t Given Name ce	Sec 	ond Given Name
1	Residence & Citizenship	City Weston	ŀ	e or Foreign Country	Con U.S	untry of Citizenship
4	Post Office Address	Post Office Address 10 Spring Valley Road	City Wes		1	te & Zip Code/Country mecticut 06883
Sig	gnature of Invento	or 214:			Dat	e:
2	Full Name Of Inventor	Family Name Koenig		First Given Name Steven		Second Given Name
1	Residence & Citizenship	City Menlo Park		State or Foreign Country California		Country of Citizenship U.S.
5	Post Office Address	Post Office Address 1751 Croner Avenuee		City Menlo Park		State & Zip Code/Country California 94025
C:-	nature of Inventor	- 215.				Date:



 $\S~1.56~$  Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

COPY OF PAPERS
ORIGINALLY FILED

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



As a below hand inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK

COPY OF PAPERS
ORIGINALLY FILED

The	specification	of	which
-----	---------------	----	-------

- a. is attached hereto.
- b.  $\boxtimes$  was filed on April 6, 2001 as Application Serial No. 09/828,406, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. \( \square\) no such applications have been filed.
- b. such applications have been filed as follows:

	FOREIGN APPLICA	TION(S), IF ANY, CLAIMING PRIORI	TY UNDER 35 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AL	L FOREIGN APPLICAT	ION(S), IF ANY, FILED BEFORE THE	E PRIORITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

U.S. Parent Application	PCT Parent Application	Parent Filing Date	Parent Patent Number
Number	Number		
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35 United States Code § 119(e) of any United States provisional application(s) listed below the states application (s) listed b

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster
Foley & Lardner
2029 Century Park East - Suite 3500
Los Angeles, CA 90067-3021

COPY OF PAPERS ORIGINALLY FILED

2	Full Name Of Inventor	Family Name Sherr	First Given Name Scott	Second Give Jeffrey	n Name
0	Residence & Citizenship	City Brentwood	State or Foreign Country California	Country of C	Citizenship
1	Post Office Address	Post Office Address 11728 Dorothy Street, #303	City Brentwood	State & Zip California 90	Code/Country 049/USA
Sig	gnature of Inventor	201:		Date:	
2	Full Name Of Inventor	Family Name Rubenstein	First Given Name Ira	Second Give Steven	n Name
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of C	Citizenship
2	Post Office Address	Post Office Address 1348 Beckwith Avenue	City Los Angeles	State & Zip California 90	Code/Country 049/USA
Sig	gnature of Inventor	r 202:		Date:	
2	Full Name Of Inventor	Family Name Landau	First Given Name Yair		Second Given Name
0	Residence & Citizenship	City Pacific Palisades	State or Foreign Country California		Country of Citizenship U.S.
3	Post Office Address	Post Office Address 1427 Chastain Parkway West	City Pacific Palisades		State & Zip Code/Country California 90272/USA
Sig	gnature of Invento	1203: Jan Judon			Date: 17/0 (

	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Family Name Frank	Andrew	C.
0	Residence	City	State or Foreign Country	Country of Citizenshi
	& Citizenship	New York	New York	U.S.
4	Post Office	Post Office Address	City	State & Zip
	Address	2166 Broadway #15E	New York	Code/Country
۵.				New York 10024/USA
21	gnature of Invent	or 204:		Date:
	Full Name	Family Name COPY OF PAPERS	First Given Name	Second Given Name
2	Of Inventor	Lakamp ORIGINALLY FILED	Brian	David
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Malibu	California	U.S.
5	Post Office	Post Office Address	City	State & Zip
	Address	18131 Kingsport Drive	Malibu	Code/Country California 90265/USA
Sig	mature of Invento	or 205:		Date:
T	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Spaulding	Bryan	Gentry
	Residence	City	State or Foreign Country	Country of Citizenship
-	& Citizenship	San Francisco	California	U.S.
1	Post Office	Post Office Address	City	State & Zip
	Address	55 Santa Clara Avenue	San Francisco	Code/Country
1	CY	204		California 94127/USA
ng	nature of Invento	r 206:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
	Of Inventor	Evans	Charles	Jonathan
	Residence	City	State or Foreign Country	Country of Citizenship
L	& Citizenship	New York	New York	U.S.
	Post Office	Post Office Address	City	State & Zip
	Address	55 West 14th Street, Apt. 2E	New York	Code/Country
igi	nature of Inventor	r 207:	<u> </u>	New York 10011/USA  Date:
Т	D II N		T	
1	Full Name Of Inventor	Family Name Schnabel	First Given Name	Second Given Name
	Or mixemor	· ·	Everton	Anthony
	Residence	City	State or Foreign Country	Country of Citizenship
L	& Citizenship	Los Angeles	California	U.S.
1	Post Office	Post Office Address	City	State & Zip
	Address	428 N. Laurel Avenue	Los Angeles	Code/Country
L	<del></del>			California 90048/USA
	ature of Inventor	. 100.		Date:

_	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Ochs		Hartmut		
0	Residence	City		State or Foreign Country		Country of Citizens
	& Citizenship	Los Angeles		California		German
9	Post Office	Post Office Address		City		State & Zip
	Address	818 Parkman Avenue		Los Angeles		Code/Country
_						California 90026/USA
S	ignature of Invent	or 209:				Date:
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Barnett		Jeremy		Eli
1	Residence	City		State or Foreign Country		Country of Citizensh
_	& Citizenship	Pacific Palisades		California		U.S.
0	Post Office	Post Office Address		City		State & Zip
	Address	563 Via de la Paz		Pacific Palisades		Code/Country California 90272/USA
Si	gnature of Invento	or 210:		1		Date:
_	gament of Hirrest	. 210.	***			Date.
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Palmer		Seth		David
1	Residence	City		State or Foreign Country		Country of Citizenship
	& Citizenship	New York		New York		U.S.
1	Post Office	Post Office Address		City		State & Zip
	Address	33 Gold Street, Apt. 509		New York		Code/Country
Sig	gnature of Invento	r 211:				New York 10038  Date:
				<b>1</b>	- <del> </del>	
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Henderson		Todd		Mıchael
۱	Residence	City	**************************************	State or Foreign Country		Country of Citizenship
-	& Citizenship	Pacific Palisades		California		U.S.
2	Post Office	Post Office Address		City		State & Zip
	Address	620 Swarthmore Avenue		Pacific Palisades		Code/Country
	moture of Inventor	. 212.				California 90272/USA
215	mature of Inventor					Date:
T	Full Name	Family Name	First	Given Name	Seco	nd Given Name
1	Of Inventor	Chong	Willi	am	w.	
1	Residence	City	State	e or Foreign Country	Cour	ntry of Citizenship
-	& Citizenship	New York	New	York	U.S.	· · · · · · · · · · · · · · · · · · ·
1	Post Office	Post Office Address	City		State	& Zip Code/Country
	Address	20 Confucius Plaza, #18M	New	York	New	York 10002/USA
ig	mature of Inventor	213:			Date	:

2	Full Name Of Inventor	Family Name Forest	Firs Bru	st Given Name ce	Sec.	ond Given Name
1	Residence & Citizenship	City Weston	ł	e or Foreign Country	Cor U.S	ıntry of Citizenship
4	Post Office Address	Post Office Address 10 Spring Valley Road	City Wes		i	e & Zip Code/Country
Sig	gnature of Invento	or 214:			Date	e:
2	Full Name Of Inventor	Family Name Koenig		First Given Name Steven		Second Given Name
2		1				
2 1 5	Of Inventor  Residence	Koenig		State or Foreign Country		Country of Citizenship

**ORIGINALLY FILED** 



§ 1.56 Buty to disclose information material to patentability.

- its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine: **COPY OF PAPERS** 
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



As a belower that inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK

	COPY OF PAPERS
The specification of which	ORIGINALLY FILED
a. is attached hereto.	
b. X was filed on April 6, 2001 as Application Serial No. 09/8 solicit a United States patent.	28,406, which I have reviewed and for which I
I hereby state that I have reviewed and understand the contents of claims, as amended by any amendment referred to above.	f the above-identified specification, including the
I acknowledge the duty to disclose information which is material accordance with Title 37, Code of Federal Regulations, § 1.56 (a	
I hereby claim foreign priority benefits under Title 35, United Stapplication(s) for patent or inventor's certificate listed below and application for patent or inventor's certificate having a filing date which priority is claimed:	have also identified below any foreign
a. \( \subseteq \) no such applications have been filed. b. \( \subseteq \) such applications have been filed as follows:	

ATE OF ISSUE lay, month, year)
PLICATION(S)
ATE OF ISSUE lay, month, year)
),

U.S. Parent Application	PCT Parent Application	Parent Filing Date	Parent Patent Number
Number	Number		
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster Foley & Lardner 2029 Century Park East - Suite 3500 Los Angeles, CA 90067-3021

2	Full Name Of Inventor	Family Name Sherr	First Given Name Scott	Second Give	n Name
0	Residence	City	State or Foreign Country	Country of C	Citizenship
	& Citizenship	Brentwood	California	U.S.	
1	Post Office	Post Office Address	City	State & Zip Code/Country	
Ш	Address	11728 Dorothy Street, #303	Brentwood	California 900	049/USA
Sig	gnature of Inventor	201:		Date:	
2	Full Name Of Inventor	Family Name Rubenstein	First Given Name Ira	Second Giver Steven	n Name
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of C	Eitizenship
2	Post Office	Post Office Address	City	State & Zip Code/Country	
	Address	1348 Beckwith Avenue	Los Angeles	California 90049/USA	
Sig	gnature of Inventor	202:		Date:	
П	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Landau	Yair		**
0	Residence & Citizenship	City Pacific Palisades	State or Foreign Country California		Country of Citizenship U.S.
3	Post Office	Post Office Address	City State & Zip		State & Zip
	Address	1427 Chastain Parkway West	Pacific Palisades		Code/Country California 90272/USA
Sig	gnature of Inventor	203:			Date:
<u> </u>					

	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Frank	Andrew	C.
0	D ' 3	Cita		
υ	Residence	City New York	State or Foreign Country	Country of Citizenship
	& Citizenship		New York	U.S.
4	Post Office	Post Office Address	City	State & Zip
	Address	2166 Broadway #15E	New York	Code/Country
<u> </u>		204		New York 10024/USA
Si	gnature of Invento	or 204: Under from	h	Date: 10/12/01
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Lakamp	Brian	David
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Malibu	California	U.S.
5	Post Office	Post Office Address	City	State & Zip
	Address	18131 Kingsport Drive	Malibu	Code/Country
				California 90265/USA
Sią	gnature of Invento	r 205:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Spaulding		
-	Of inventor	Spanding	Bryan	Gentry
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	San Francisco	California	U.S.
6	Post Office	Post Office Address	City	State & Zip
ı	Address	55 Santa Clara Avenue	San Francisco	Code/Country
l				California 94127/USA
Sig	gnature of Invento	т 206:		Date:
1	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Evans	Charles	Jonathan
0	Residence	City	State or Foreign Country	Country of Citizenship
-	& Citizenship	New York	New York	U.S.
7	Post Office	Post Office Address	City	State & Zip
	Address	55 West 14th Street, Apt. 2E	New York	Code/Country
				New York 10011/USA
Sig	gnature of Invento	r 207:		Date:
٦	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Schnabel	Everton	Anthony
- 1	Or inventor	Bernauer .	Dverton	Androny
1	70.11	City	State or Foreign Country	Country of Citizenship
0	Residence	Los Angeles	California	U.S.
0	Residence & Citizenship	1 LOS Aligues	_ <del></del>	
	& Citizenship	**************************************	City	State & Zin
0 8	& Citizenship Post Office	Post Office Address	City Los Angeles	State & Zip Code/Country
	& Citizenship	**************************************	City Los Angeles	Code/Country
8	& Citizenship Post Office	Post Office Address 428 N. Laurel Avenue		=

	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Ochs	Hartmut		
0	Residence	City	State or Foreign Country		Country of Citizenship
	& Citizenship	Los Angeles	California		German
9	Post Office	Post Office Address	City		State & Zip
	Address	818 Parkman Avenue	Los Angeles		Code/Country California 90026/USA
Si	gnature of Invento	r 209:			Date:
	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Barnett	Jeremy		Eli
1	Residence	City	State or Foreign Country	****	Country of Citizenship
	& Citizenship	Pacific Palisades	California		U.S.
0	Post Office	Post Office Address	City		State & Zip
	Address	563 Via de la Paz	Pacific Palisades	•	Code/Country California 90272/USA
	mature of Invento	- 210-		· · · · · · · · · · · · · · · · · · ·	Date:
SI;	gnature of invento	1 210:			Date.
	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Palmer	Seth		David
1	Residence	City	State or Foreign Country	1	
	& Citizenship	New York	New York		U.S.
1	Post Office Address	Post Office Address 33 Gold Street, Apt. 509	City		State & Zip Code/Country
	Address	33 Gold Silver, Apr. 309	New York		New York 10038
Si	nature of Invento	r 211: Sech 2. Tal			Date: 10 /12 /2001
	Full Name	To all Marie	First Given Name		
		Family Name	First Given Name		Second Given Name
2	Of Inventor	Henderson	Todd		Second Given Name Michael
2	Of Inventor  Residence	1 •			
	Residence & Citizenship	Henderson	Todd		Michael  Country of Citizenship U.S.
	Residence & Citizenship Post Office	Henderson  City Pacific Palisades  Post Office Address	Todd  State or Foreign Country California City		Michael  Country of Citizenship U.S.  State & Zip
1	Residence & Citizenship	Henderson  City Pacific Palisades	Todd  State or Foreign Country California		Michael  Country of Citizenship U.S.  State & Zip Code/Country
2	Residence & Citizenship Post Office	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	Todd  State or Foreign Country California City		Michael  Country of Citizenship U.S.  State & Zip
2	Residence & Citizenship Post Office Address	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	Todd  State or Foreign Country California City		Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA
2	Residence & Citizenship Post Office Address gnature of Invento	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	Todd  State or Foreign Country California City	Seco	Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA
2	Residence & Citizenship Post Office Address	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	State or Foreign Country California City Pacific Palisades	Seco W.	Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA  Date:
1 2 Si	Residence & Citizenship Post Office Address gnature of Invento Full Name Of Inventor Residence	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name	Todd  State or Foreign Country California City Pacific Palisades  First Given Name	w.	Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA  Date:
1 2 Si	Residence & Citizenship Post Office Address gnature of Invento Full Name Of Inventor	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name Chong	State or Foreign Country California City Pacific Palisades  First Given Name William	W. Cou U.S.	Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:  and Given Name  Intry of Citizenship
1 2 Si	Residence & Citizenship Post Office Address  gnature of Invento  Full Name Of Inventor  Residence & Citizenship Post Office	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name Chong  City New York  Post Office Address	State or Foreign Country California City Pacific Palisades  First Given Name William State or Foreign Country	Cou U.S. Stat	Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA  Date:  and Given Name  mtry of Citizenship e & Zip Code/Country
1 2 Si:	Residence & Citizenship Post Office Address gnature of Invento Full Name Of Inventor Residence & Citizenship	Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name Chong  City New York	State or Foreign Country California City Pacific Palisades  First Given Name William  State or Foreign Country New York	Cou U.S. Stat	Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:  and Given Name  Intry of Citizenship

2	Full Name Of Inventor	Family Name Forest	First Given Name Bruce	Second Given Name
1	Residence & Citizenship	City Weston	State or Foreign Country Connecticut	Country of Citizenship U.S.
4	Post Office Address	Post Office Address 10 Spring Valley Road	City Weston	State & Zip Code/Count Connecticut 06883
Sig	mature of Invento	r 214:		Date:
2	Full Name Of Inventor	Family Name Koenig	First Given Name Steven	Second Given Nan
1	Residence & Citizenship	City Menlo Park	State or Foreign Cour California	ntry Country of Citizen U.S.
5	Post Office Address	Post Office Address 1751 Croner Avenuee	City Menlo Park	State & Zip Code/Country California 94025
Sig	nature of Invento	r 215:		Date:

# § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



### **United States Patent Application**

#### **DECLARATION UNDER 37 C.F.R. § 1.63**

As a beine inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK

COPY OF PAPERS

mm	ORIGINALLY FILED
The specification of which a is attached hereto.	the same of the sa
<ul> <li>b. \( \overline{\text{\tinc{\tint{\text{\tin}\text{\tetx{\text{\tetx{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\texitilex{\text{\texitet{\text{\texict{\text{\texitilex{\text{\texitilex{\texit{\texi}\texitt{\texi{\texi{\texit{\texi{\texi{\texi{\texi{\texi{\t</li></ul>	o. 09/828,406, which I have reviewed and for which I
I hereby state that I have reviewed and understand the corclaims, as amended by any amendment referred to above.	1

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. \( \subseteq \) no such applications have been filed.
b. \( \subseteq \) such applications have been filed as follows:

	FOREIGN APPLICA	TION(S), IF ANY, CLAIMING PRIORI	TY UNDER 35 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AL	L FOREIGN APPLICAT	TION(S), IF ANY, FILED BEFORE THE	PRIORITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

U.S. Parent Application	PCT Parent Application	Parent Filing Date	Parent Patent Number
Number	Number		
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35 United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster
Foley & Lardner
2029 Century Park East - Suite 3500
Los Angeles, CA 90067-3021

COPY OF PAPERS ORIGINALLY FILED

2	Full Name Of Inventor	Family Name Sherr	First Given Name Scott	Second Give Jeffrey	en Name
0	Residence	City	State or Foreign Country	Country of	Citizenship
	& Citizenship	Brentwood	California	U.S.	
1	Post Office	Post Office Address	City	-	Code/Country
	Address	11728 Dorothy Street, #303	Brentwood	California 90	049/USA
Sig	mature of Invento	r 201:		Date:	
T	Full Name	Family Name	First Given Name	Second Give	n Name
2	Of Inventor	Rubenstein	Ira	Steven	
0	Residence	City	State or Foreign Country	Country of	Citizenship
	& Citizenship	Los Angeles	California	U.S.	
2	Post Office	Post Office Address	City	State & Zip	Code/Country
	Address	1348 Beckwith Avenue	Los Angeles	Califorma 90	049/USA
Sig	mature of Invento	r 202:		Date:	
	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Landau	Yaır		
0	Residence	City	State or Foreign Country		Country of Citizenship
	& Citizenship	Pacific Palisades	California		U.S.
3	Post Office	Post Office Address	City		State & Zip
	Address	1427 Chastain Parkway West	Pacific Palisades		Code/Country California 90272/USA
Sig	nature of Invento	or 203:		<del></del>	Date:

/	OIPE	7
BIE	JAN 0 9 200	2 20/3

	Full Name	Fancis Name Frank	First Given Name	Second Given Name
2	Of Inventor	Frank	Andrew	C.
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	New York	New York	U.S.
4	Post Office	Post Office Address	City	State & Zip
	Address	2166 Broadway #15E	New York	Code/Country New York 10024/USA
Si	gnature of Invento	or 204:		Date:
	Full Name	Family Name COPY OF PAPERS ORIGINALLY FILED	First Given Name	Second Given Name
2	Of Inventor	Lakamp	Brian	David
0	Residence & Citizenship	City Malibu	State or Foreign Country California	Country of Citizenship U.S.
5	Post Office	Post Office Address	City	State & Zip
İ	Address	18131 Kingsport Drive	Malibu	Code/Country
$\sqcup$				California 90265/USA
Sig	nature of Invento	r 205:		Date:
T	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Spaulding	Bryan	Gentry
0	Residence	City	State or Foreign Country	Country of Citizenship
_  -	& Citizenship	San Francisco	California	U.S.
6	Post Office Address	Post Office Address 55 Santa Clara Avenue	City San Francisco	State & Zip Code/Country
	Auu Es	JJ Janua Ciara Avenue	Sail Plainisco	California 94127/USA
Sig	nature of Invento	206: Apar Mould	$\sim$	Date: 12/7/0
T	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Evans	Charles	Jonathan
0	Residence	City	State or Foreign Country	Country of Citizenship
_	& Citizenship	New York	New York	U.S.
7	Post Office	Post Office Address	City	State & Zip
Ì	Address	55 West 14th Street, Apt. 2E	New York	Code/Country
Sig	nature of Inventor	r 207:		New York 10011/USA  Date:
Ŧ	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Schnabel	Everton	Anthony
0	Residence	City	State or Foreign Country	Country of Citizenship
-	& Citizenship	Los Angeles	California	U.S
8	Post Office	Post Office Address	City	State & Zip
٥	4 3 3	428 N. Laurel Avenue	Los Angeles	Code/Country
٥	Address			California 90048/USA

	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Ochs		Hartmut		-
0	Residence	City		State or Foreign Country		Country of Citizenshi
	& Citizenship	Los Angeles		California		German
9	Post Office	Post Office Address		City		State & Zip
	Address	818 Parkman Avenue		Los Angeles		Code/Country
						California 90026/USA
Si	ignature of Invent	or 209:				Date:
	Full Name	Family Name	<del></del>	First Given Name		Second Given Name
2	Of Inventor	Barnett		Jeremy		Eli
1	Residence	City		State or Foreign Country		Country of Citizenship
	& Citizenship	Pacific Palisades		California		U.S.
0	Post Office	Post Office Address		City		State & Zip
	Address	563 Via de la Paz		Pacific Palisades		Code/Country
		- 210.				California 90272/USA
DI	gnature of Invento	r 21U:				Date:
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Palmer		Seth		David
1	Residence	City	<del></del>	State or Foreign Country		Country of Citizenship
-	& Citizenship	New York		New York		U.S.
1	Post Office	Post Office Address		City		State & Zip
	Address	33 Gold Street, Apt. 509		New York		Code/Country
Sig	nature of Invento	r 211:			···-	New York 10038  Date:
	Full Name	Family Name		First Given Name		Second Given Name
2	Of Inventor	Henderson		Todd		Michael
1	Residence	City		State or Foreign Country		Country of Citizenship
-	& Citizenship	Pacific Palisades		California		U.S.
2	Post Office	Post Office Address		City		State & Zip
	Address	620 Swarthmore Avenue		Pacific Palisades		Code/Country
		- 212			<del></del> -	California 90272/USA
əig	mature of Invento	T 414:				Date:
T	Full Name	Family Name	First	t Given Name	Seco	nd Given Name
2	Of Inventor	Chong	Will	iam	w.	
۱	Residence	City	1	e or Foreign Country	i i	ntry of Citizenship
-	& Citizenship	New York	New	York	U.S.	
3	Post Office	Post Office Address	City		i i	e & Zip Code/Country
	Address	20 Confucius Plaza, #18M	New	York	New	York 10002/USA
Sig	mature of Invento	213:			Date	:

2	Full Name Of Inventor	Family Name Forest	First (	Given Name	Seco-	ond Given Name
1	Residence & Citizenship	City Weston	State of Connection	or Foreign Country	Cou U.S	ntry of Citizenship
4	Post Office Address	Post Office Address 10 Spring Valley Road	City Westor	0	- 1	e & Zip Code/Country necticut 06883
Sig	mature of Invento	r 214:			Date	2:
2	Full Name Of Inventor	Family Name Koenig	1 -	First Given Name Steven	I	Second Given Name
1	Residence & Citizenship	City Menlo Park	1	State or Foreign Country California		Country of Citizenship U.S.
5	Post Office Address	Post Office Address 1751 Croner Avenuee		City Menio Park		State & Zip Code/Country California 94025
Sig	nature of Invento	215:				Date:



§ 1.56 Duty to discusse information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

COPY OF PAPERS
ORIGINALLY FILED

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



#### **United States Patent Application**

## DECLARATION UNDER 37 C.F.R. § 1.63

As a below me inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK

The specification of which	ORIGINALLY FILED
<ul> <li>a.  is attached hereto.</li> <li>b.  was filed on April 6, 2001 as Application Serial N solicit a United States patent.</li> </ul>	No. 09/828,406, which I have reviewed and for which I

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. \( \sum \) no such applications have been filed.

b. such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AL	L FOREIGN APPLICAT	TON(S), IF ANY, FILED BEFORE THE	E PRIORITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

U.S. Parent Application	PCT Parent Application	Parent Filing Date	Parent Patent Number
Number	Number		
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster
Foley & Lardner
2029 Century Park East - Suite 3500
Los Angeles, CA 90067-3021

2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
-	Of inventor	Sheri	Scott	Jenrey
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Brentwood	California	U.S.
1	Post Office	Post Office Address	City	State & Zip Code/Country
	Address	11728 Dorothy Street, #303	Brentwood	California 90049/USA
Sig	mature of Invento	r 201:		Date:
П	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Rubenstein	Ira	Steven
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Los Angeles	California	U.S.
2	Post Office	Post Office Address	City	State & Zip Code/Country
	Address	1348 Beckwith Avenue	Los Angeles	California 90049/USA
Sig	nature of Invento	r 202:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Landau	Yair	
0	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Pacific Palisades	California	U.S.
3	Post Office	Post Office Address	City	State & Zip
	Address	1427 Chastain Parkway West	Pacific Palisades	Code/Country
				California 90272/USA
Sig	nature of Invento	r 203:		Date:
			•	

2	Full Name Of Inventor	Frank	First Given Name	Second Given Name
1	Of Inventor	Flank	Andrew	C.
0	Residence	City	State or Foreign Country	Country of Citizens
	& Citizenship	New York	New York	U.S.
4	Post Office Address	Post Office Address 2166 Broadway #15E	City New York	State & Zip Code/Country
S	ignature of Invent	tor 204: Cude -	funde	New York 10024/US.  Date: /0//2/0/
-	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Lakamp	Brian	David Tvanic
0	Residence	City	State or Foreign Country	Country of Citizensh
_	& Citizenship	Malibu	California	U.S.
5	Post Office	Post Office Address	City	State & Zip
	Address	18131 Kingsport Drive	Malibu	Code/Country California 90265/USA
Si	gnature of Invent	or 205:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Spaulding	Bryan	Gentry
0	Residence	City	State or Foreign Country	Country of Citizenshi
	& Citizenship	San Francisco	California	U.S.
6	Post Office	Post Office Address	City	State & Zip
	Address	55 Santa Clara Avenue	San Francisco	Code/Country California 94127/USA
Sig	gnature of Invento	т 206:		Date:
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	Evans	Charles	Jonathan
	Residence	City	State or Foreign Country	Country of Citizenship
ŀ	& Citizenship	New York	New York	U.S.
7	Post Office	Post Office Address	City	State & Zip
	Address	55 West 14th Street, Apt. 2E	New York	Code/Country
Sig	nature of Inventor	r 207:		New York 10011/USA  Date:
T	Full Name	Family Name	First Given Name	616: 2
2	Of Inventor	Schnabel	Everton	Second Given Name Anthony
,	Residence	City	State or Foreign Country	Country of Citizenship
-	& Citizenship	Los Angeles	California	U.S.
1	Post Office	Post Office Address	City	State & Zip
	Address	428 N. Laurel Avenue	Los Angeles	Code/Country California 90048/USA
ᆚ				

	EDV	T. 9 M			
	Full Name 2 Of Inventor	Family Name	First Given Name		Second Given Name
١.	2 Of Inventor	Ochs	Hartmut		
	0 Residence	City	State on Paraire Country		
	& Citizenship	Los Angeles	State or Foreign Country California		Country of Citizensh
9	<del></del>	Post Office Address	City	<del></del>	German
•	Address	818 Parkman Avenue	Los Angeles		State & Zip
			Los Angeles		Code/Country California 90026/USA
5	Signature of Invent	or 209:	L	<del></del>	Date:
_	Full Name	Family Name	First Given Name		SIC: N
2	ı	Barnett	Jeremy Jeremy		Second Given Name
			,		Lin .
1	Residence	City	State or Foreign Country		Country of Citizenshi
	& Citizenship	Pacific Palisades	California		U.S.
0	Post Office	Post Office Address	City		State & Zip
	Address	563 Via de la Paz	Pacific Palisades		Code/Country
	1				California 90272/USA
S	ignature of Invent	or 210:			Date:
	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	Palmer	Seth		David
1	Residence	City	State or Foreign Country		Country of Citizenship
	& Citizenship	New York	New York		U.S.
1	Post Office	Post Office Address	City		State & Zip
	Address	33 Gold Street, Apt. 509	New York		Code/Country
					New York 10038
Si	gnature of Invento	or 211: Sech P. Pal-			Date: 10/12/2001
		1000			10/10/0-1
	Full Name	Family Name	First Given Name		
2	Full Name Of Inventor		First Given Name Todd		Second Given Name Michael
2	Of Inventor Residence	Family Name Henderson City	1		Second Given Name
	Of Inventor  Residence & Citizenship	Family Name Henderson  City Pacific Palisades	Todd		Second Given Name Michael
L	Of Inventor Residence	Family Name Henderson City	Todd State or Foreign Country		Second Given Name Michael  Country of Citizenship
L	Of Inventor  Residence & Citizenship	Family Name Henderson  City Pacific Palisades	Todd  State or Foreign Country California		Second Given Name Michael  Country of Citizenship U.S.
2	Of Inventor  Residence & Citizenship  Post Office Address	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	Todd  State or Foreign Country California City		Second Given Name Michael  Country of Citizenship U.S.  State & Zip
2	Of Inventor  Residence & Citizenship  Post Office	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	Todd  State or Foreign Country California City		Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country
2	Of Inventor  Residence & Citizenship  Post Office Address	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	State or Foreign Country California City Pacific Palisades	Seco	Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:
Sig	Of Inventor  Residence & Citizenship  Post Office Address  gnature of Invento	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue	Todd  State or Foreign Country California City	Seco W.	Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA
Sig	Of Inventor  Residence & Citizenship  Post Office Address  gnature of Invento	Family Name Henderson  City Pacific Palisades Post Office Address 620 Swarthmore Avenue  r 212: Family Name	State or Foreign Country California City Pacific Palisades  First Given Name	W.	Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:
Sig	Of Inventor  Residence & Citizenship  Post Office Address  gnature of Invento  Full Name Of Inventor	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name Chong	State or Foreign Country California City Pacific Palisades  First Given Name William	W.	Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:  and Given Name
1	Of Inventor  Residence & Citizenship  Post Office Address  gnature of Invento  Full Name Of Inventor  Residence	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name Chong  City	State or Foreign Country California City Pacific Palisades  First Given Name William State or Foreign Country	W. Com	Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA  Date:  and Given Name
Sig	Of Inventor  Residence & Citizenship  Post Office Address  gnature of Invento  Full Name Of Inventor  Residence & Citizenship	Family Name Henderson  City Pacific Palisades  Post Office Address 620 Swarthmore Avenue  r 212:  Family Name Chong  City New York	State or Foreign Country California City Pacific Palisades  First Given Name William  State or Foreign Country New York	W. Com U.S. State	Second Given Name Michael  Country of Citizenship U.S.  State & Zip Code/Country California 90272/USA Date:  and Given Name

2	Full Name Of Inventor	Family Name Forest	First Given Name Bruce	Second Given Name
1	Residence & Citizenship	City Weston	State or Foreign Country Connecticut	Country of Citizenship U.S.
4	Post Office Address	Post Office Address 10 Spring Valley Road	City Weston	State & Zip Code/Country Connecticut 06883
Sig	gnature of Invento	or 214:		Date:
2	Full Name Of Inventor	Family Name Koenig	First Given Name Steven	Second Given Name
2		1 *		
1	Of Inventor  Residence	Koenig	State or Foreign Countr	y Country of Citizenship

#### § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.